

EXHIBIT 2

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

NEW YORK STATE FIREARMS ASSOCIATION,

et al.,

Plaintiffs,

v.

Civil Action No. 23-CV-6524-FPG

DOMINICK L. CHIUMENTO, in his official capacity as
Acting Superintendent of the New York State Police,

Defendant.

DECLARATION OF FRANCIS JOHN RICE IN SUPPORT OF PLAINTIFF'S REPLY
IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

STATE OF NEW YORK)
) ss:s
COUNTY OF RENSSELAER)

Franics Rice, having been duly sworn, hereby states under the pains and penalties of perjury:

1. I am over 21 years of age and I make the following statements to my personal knowledge. If called upon to testify would competently testify as to the matters stated herein.
2. I am a 20-year resident of Castleton on Hudson, New York.
3. I am a member of the New York State Firearms Association ("NYSFA"). I am not suing Superintendent Chiumento in my own capacity but know the NYSFA is fighting for my Second Amendment rights against New York's ammunition background checks.
4. I am a law-abiding gun owner and not subject to any possession restrictions under New York or federal law. I passed a background check to purchase a G-Force GF3 firearm. This gun is a shotgun and uses 12-gauge ammunition.

5. On or about October 14, 2023, I went to Wal-Mart in East Greenbush, New York to purchase 12 gauge ammunition.

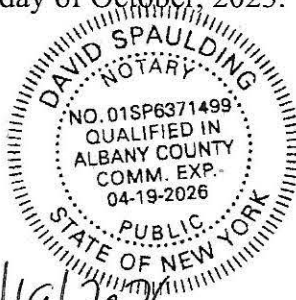
6. I was informed that the background check system was offline, and I was unable to complete the purchase. I was not offered any avenue by which to purchase ammunition other than to try again some other time. I was unequivocally deprived of my Second Amendment rights through the failure of the background check system.

7. Ammunition background checks are pointless, time-consuming exercises against law-abiding gun owners like myself. Every minute I've spent and will spend enduring a background check for ammunition purchases a violation of my Second Amendment rights.


Name

Signed and sworn before me this 26 day of October, 2023.


NOTARY PUBLIC



MY COMMISSION EXPIRES: 04/19/2026